



Department of Justice

District of Arizona

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SIERRA VISTA MAN SENTENCED TO 168 MONTHS **ON CHILD PORNOGRAPHY CHARGES**

TUCSON – Dustin Garold Heaton, 39, of Sierra Vista, Ariz. was sentenced in Tucson on April 13 to 168 months incarceration by U.S. District Judge David C. Bury. Heaton had pleaded guilty on June 26, 2006, to Attempted Distribution of Child Pornography.

Heaton came to the attention of the Department of Homeland Security, Bureau of Immigration and Customs Enforcement (ICE), after that agency received a number of cyber tipline reports from the National Center for Missing and Exploited Children. Those reports indicated that between April 26 and June 13, 2005, that someone had uploaded images of child pornography utilizing a Yahoo account to a photo album. Subsequent investigation revealed that the account in question was Heaton's. On June 23, 2005, ICE agents, assisted by the Sierra Vista Police Department, executed a Federal search warrant at Heaton's residence. At that time, computers and computer related storage media were seized and Heaton consented to an interview wherein he stated that he had seen and downloaded the images that were the subject of the cyber tipline reports and that he had downloaded other images and movies of child pornography.

While the forensic review of the items seized on June 23, 2005, was proceeding, ICE agents received another NCMEC cyber tipline report in December of 2005 that again was traced to Heaton's account and computer which indicated that more images of child pornography had been uploaded in September of 2005. On December 13, 2005, ICE agents executed a second warrant at Heaton's home and seized more computers. Through subsequent forensic examination, it was determined that another computer seized on that date contained images and movies of child pornography. At that time, Heaton was interviewed wherein he stated that he had downloaded the child pornography in question from a file sharing system called "Limewire," that he had created the Yahoo profiles featuring the child pornography in question and that he had done so to see how many other individuals on the internet were as mentally sick as he was. Heaton was arrested on that date and has been incarcerated since that time.

The sentence of 168 months in custody will be followed by lifetime supervised release, with a number of conditions. One of those conditions will require the defendant to register as a sex offender.

This case was brought as part of Project Safe Childhood. In February 2006, Attorney General Alberto R. Gonzales created Project Safe Childhood, a nationwide initiative designed to protect children from online exploitation and abuse. Led by the U.S. Attorneys Offices, Project Safe Childhood marshals federal, state and local resources to better locate, apprehend and

prosecute individuals who exploit children via the Internet, as well as identify and rescue victims. For more information about Project Safe Childhood, please visit www.projectsafecchildhood.gov/.

The investigation in this case was conducted by the Department of Homeland Security, Bureau of Immigrations and Customs Enforcement, the Sierra Vista Police Department and the National Center for Missing and Exploited Children. The prosecution was handled by Judson T. Mihok, Assistant U.S. Attorney, District of Arizona, Tucson.

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